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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JEREMY ROBERT CLOVER,  
  
Plaintiff,  
  
v.  
  
COMMISSIONER OF  
SOCIAL SECURITY,  
  
Defendant.

No. 1:24-CV-00935 (GSA)

**STIPULATION AND [PROPOSED]  
ORDER FOR AWARD AND PAYMENT  
OF ATTORNEYS FEES AND COSTS  
PURSUANT TO THE EQUAL ACCESS TO  
JUSTICE ACT (28 U.S.C. §2412(d) AND 28  
U.S.C. §1920)**

1 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
2 attorneys, subject to the approval of the Court, that Jeremy Robert Clover (“Plaintiff”) be  
3 awarded attorney fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. §2412 (d), in  
4 the amount of seven thousand four hundred and fifty-four dollars and forty-six cents (\$7,454.46).  
5 This represents compensation for all legal services rendered on behalf of Plaintiff by counsel in  
6 connection with this civil action to date, in accordance with 28 U.S.C. §2412 (d). In addition,  
7 pursuant to 28 U.S.C. §§1920 and 2412 (d), Plaintiff seeks the award of costs associated with the  
8 civil action in the amount of four hundred and five dollars (\$405).

9 After the Court issues an Order for EAJA fees to Plaintiff, the government will consider  
10 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to *Astrue v.*  
11 *Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the  
12 attorney fees are subject to any offset allowed under the United States Department of the  
13 Treasury’s Offset Program. After the Order for EAJA fees is entered, the government will  
14 determine whether they are subject to any offset.

15 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines  
16 that Plaintiff does not owe a federal debt subject to offset, then the government shall cause the  
17 payment of fees approved to be made payable to Melissa Newel or Newel Law (collectively  
18 “Plaintiff’s counsel”), pursuant to the assignment executed by Plaintiff. Any and all payments  
19 made shall be delivered to Plaintiff’s counsel by electronic transfer or by check.

20 This stipulation constitutes a compromise settlement of Plaintiff’s request for EAJA  
21 attorney fees and does not constitute an admission of liability on the part of Defendant under  
22 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and  
23 bar to, any and all claims that Plaintiff and/or Plaintiff’s counsel may have relating to EAJA  
24 attorney fees and expenses in connection with this action.

25 This award is without prejudice to the rights of Plaintiff’s counsel to seek Social Security  
26 Act attorney fees under 42 U.S.C. §406(b), subject to the provisions of the EAJA.

27  
28 Respectfully submitted,

1 Dated: March 14, 2025

NEWEL LAW

2  
3 By: Melissa Newel  
4 Melissa Newel  
5 Attorney for Plaintiff  
JEREMY ROBERT CLOVER

6 Dated: March 14, 2025

MICHELE BECKWITH  
Acting United States Attorney  
MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7

9  
10 By: Mary Tsai\*  
11 MARY TSAI  
12 (\*Authorized by email dated 03/14/2025)  
13 Special Assistant U.S. Attorney  
14 Office of Program Litigation, Office 7  
15 Social Security Administration  
16 Attorneys for Defendant

17 **ORDER**

18 IT IS HEREBY ORDERED that, pursuant to the Equal Access to Justice Act, 28 U.S.C.  
19 §2412(d), attorney fees in the amount of **seven thousand four hundred and fifty-four dollars**  
20 **and forty-six cents (\$7,454.46)** and, pursuant to 28 U.S.C. §§1920 and 2412(d), costs in the  
21 amount of **four hundred and five dollars (\$405)**, be awarded subject to the terms of the  
22 Stipulation.

23 IT IS SO ORDERED.

24 Dated: March 17, 2025

25 /s/ Gary S. Austin  
26 UNITED STATES MAGISTRATE JUDGE  
27  
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